

# California Victim Compensation and Government Claims Board

## Open Meeting Minutes

**February 16, 2006**

The California Victim Compensation and Government Claims Board (Board) convened its regular session at the call of Rosario Marin, Secretary, State and Consumer Services Agency, at the First Floor Hearing Room, 630 "K" Street, Sacramento, California, on Thursday, February 16, 2006, at 10:00 a.m. Also present were Board members Windie Scott, Deputy State Controller, acting for and in the absence of Steve Westly, Controller, and Michael Ramos, San Bernardino District Attorney.

Board staff present included Karen McGagin, Executive Officer; Tom O'Connor, Chief Deputy Executive Officer; Kathleen Andleman, Chief Counsel; and Peggy Adams, Manager, Government Claims Program. Tisha Heard, Acting Board Liaison, recorded the meeting.

The Board meeting commenced with the pledge of allegiance.

### **MINUTES**

Item 1 The Board voted to adopt the minutes of the January 19, 2006, Board meeting. Chairperson Marin abstained from the vote.

### **EXECUTIVE OFFICER'S STATEMENT**

Item 2 The Executive Officer presented Chairperson Marin with the Board's 40<sup>th</sup> anniversary pin representing 40 years of service to victims and gave the Executive Officer report to the Board, which included information on the following:

- Introduction and welcoming of Rosario Marin
- California District Attorneys Association 2006 Winter Workshop
- VCGCB Publication of the January 2006 Board Action to Modify Mental Health Session Limits
- VCGCB Relocation
- VCGCB Strategic Plan
- VCGCB Updates

### **GOVERNMENT CLAIMS PROGRAM**

Item 3 Consent Agenda

The Board voted to adopt the staff recommendations on the claims listed on the Government Claims Program Consent Agenda with the following changes:

Number 1 **George R. Gay** **G522943**

This claim was continued.

Number 14 **Mike McManus** **G557792**

The department was not identified. Modified to reflect the Department of Transportation as the affected department.

Total Claims	Claims Rejected	Late Claims		Claims Allowed in Whole or Part	Claims Allowed	
		Denied	Granted		Paid via Gov. Code §965	Paid via Claims Bill
173	130	24	2	17	8	9

Item 4 **Cindy Hereth** **G529573**

The Board voted to adopt the staff recommendation to reject the claim.

Item 5 **Los Angeles Schools Federal Credit Union** **G555428**

The Board voted to adopt the staff recommendation to reject the claim.

Item 6 **Hewlett Packard Company** **G558212**

The Board voted to adopt the staff recommendation to allow the claim in the amount of \$54,900.77 to be paid under the authority of Government Code section 965 (agency pay).

Item 7 **Stanford University Hospital** **G534076**  
**California Shock/Trauma Air Rescue** **G547726**  
**Tenet Health System** **G548512**

The Board voted to adopt the staff recommendation to allow the claims in the respective amounts of \$22,057.68 (Stanford University Hospital), \$16,941.80 (California Shock/Trauma Air Rescue), and \$676.00 (Tenet Health System) to be paid under the authority of Government Code section 965 (agency pay).

Donna Corbin, on behalf of the Department of Corrections and Rehabilitation, appeared and concurred with the Board's decision.

Item 8 **Unlimited Channels** **G556026**

The Board voted to continue this claim to the March 16, 2006, Board meeting.

Item 9 **James Barmettler** **G549225**

The Board voted to continue this claim to the March 16, 2006, Board meeting at the claimant's request.

Item 10 **Public Comment**

The Board opened the meeting for public comment. No public comment was offered.

### **VICTIM COMPENSATION PROGRAM**

The Board commenced the Victim Compensation Program portion of the meeting at 10:20 a.m.

**Item 11 Quarterly Statistical Report**

Ted Boughton, Deputy Executive Officer of the VCP, presented the Second Quarter Statistical Report for July 1, 2005, through December 31, 2005.

**Item 12 Mental Health Counseling Reimbursement Rates Under the Victim Compensation Program**

The Board voted to adopt the staff recommendation to increase the mental health reimbursement rates to be effective for dates of services on or after March 1, 2006.

**Item 13 REQUESTS FOR RECONSIDERATION RECOMMENDED TO BE ALLOWED**

Numbers 1–10 & 30 The Board voted to adopt the staff recommendations to allow the requests for reconsideration for item numbers 1 through 10 and item number 30.

**Item 14 REQUESTS FOR RECONSIDERATION RECOMMENDED TO BE DENIED**

Numbers 11–29 The Board voted to adopt the staff recommendations to deny the requests for reconsideration for item numbers 11 through 29.

**Item 15 CLAIMS FOR WHICH APPEALS WERE WITHDRAWN OR DEEMED TO BE WITHDRAWN**

Numbers 31–99 The Board voted to adopt the staff recommendations on the claims for which appeals were withdrawn or deemed to be withdrawn and action on claims for which a hearing was denied under California Code of Regulations, Title 2, section 647.20.1 or for which the applicant failed to appear or proceed under section 647.35.

**Item 16 Public Comment**

The Board opened the meeting for further public comment. No public comment was offered.

### **CLOSED SESSION**

Pursuant to Government Code sections 11126(c)(3) and 11126(e), the Board adjourned into Closed Session with the Board's Executive Officer, Chief Deputy Executive Officer, and Chief Counsel at 10:37 a.m. to deliberate on the proposed decisions for agenda item numbers 100 through 114 and to confer with and receive advice from legal counsel regarding pending litigation.

The Board reconvened into open session at 10:48 a.m.

Item A The Board voted to adopt the proposed decisions for item numbers 100 through 114.

**ADJOURNMENT**

The meeting was adjourned at 10:49 a.m.

KAREN McGAGIN  
Executive Officer

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I certify that the California Victim Compensation and Government Claims Board  
adopted these minutes at its meeting of March 16, 2006, at Sacramento, California.

Date: March 16, 2006

By:

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Tisha D. Heard  
Acting Board Liaison

*(Affix seal here)*